

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN)
---	-----------------------

This document relates to:

*August Bernaerts, et al. v. Islamic Republic of Iran*, No. 1:19-cv-11865 (GBD) (SN)

**[PROPOSED] ORDER OF PARTIAL FINAL DEFAULT JUDGMENT  
FOR DAMAGES FOR PLAINTIFF RACHEL UCHITEL**

Upon consideration of the evidence and arguments submitted by Plaintiff Rachel Uchitel (“Plaintiff”), identified in Exhibit A to this Order, who is the functional equivalent of a spouse of a victim killed in the terrorist attacks on September 11, 2001, as specifically identified in annexed Exhibit A, and the judgment by default for liability only against Defendant Islamic Republic of Iran (“Iran”) entered as follows:

CASE NAME	CASE NO.	DATE MOTION FOR LIABILITY WAS FILED	ECF NO. FOR MOTION FOR LIABILITY THAT WAS FILED	DATE MOTION FOR LIABILITY WAS GRANTED	ECF NO. FOR MOTION FOR LIABILITY THAT WAS GRANTED
<i>August Bernaerts, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11865 (GBD) (SN)	11/12/2021	ECF No. 7329	01/04/2022	ECF No. 7522

; together with the entire record in this case; IT IS HEREBY

**ORDERED** that partial final judgment is entered against Iran on behalf of the Plaintiff in the above-captioned matters, as identified in the attached Exhibit A, who is the functional equivalent of a spouse of an individual killed in the terrorist attacks on September 11, 2001, as indicated in the attached Exhibit A; and it is further

**ORDERED** that Rachel Uchitel is the functional equivalent of a spouse of Andrew O'Grady, who died in the terrorist attacks on September 11, 2001; and it is further

**ORDERED** that the Plaintiff identified in the attached Exhibit A is awarded solatium damages of \$12,500,000, as set forth in the attached Exhibit A; and it is further

**ORDERED** that the Plaintiff identified in the attached Exhibit A is awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is further

**ORDERED** that the Plaintiff identified in the attached Exhibit A may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is further

**ORDERED** that the remaining Plaintiffs in the above-captioned matters not appearing in the attached Exhibit A may submit in later stages applications for damages awards, and to the extent they are for solatium damages, they will be approved consistent with those approved herein for the Plaintiff appearing in the attached Exhibit A.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 9106.

**SO ORDERED:**

---

GEORGE B. DANIELS  
United States District Judge

Dated: New York, New York  
\_\_\_\_\_, 202\_\_